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## Criminal Aspects at the Stages of Registration, Verification and Determination of Political Parties as Candidates for Election Contestants

Riezka Eka Mayasari<sup>1</sup>, La Ode Awal Sakti<sup>2</sup>, Irsan Rahman<sup>3</sup>, Faisal Herisetiawan<sup>4</sup>,  
Muhamad Aksan Akbar<sup>5</sup>, Yeni Haerani<sup>6</sup>, Basrawi<sup>7</sup>

<sup>1</sup> Faculty of Law, Universitas Sembilanbelas November Kolaka, Southeast Sulawesi Indonesia,  
[maysariesop@gmail.com](mailto:maysariesop@gmail.com)

<sup>2</sup> Faculty of Law, Universitas Sembilanbelas November Kolaka, Southeast Sulawesi Indonesia,  
[awalsakti122@gmail.com](mailto:awalsakti122@gmail.com)

<sup>3</sup> Faculty of Law, Universitas Sembilanbelas November Kolaka, Southeast Sulawesi Indonesia,  
[irsanrahman@gmail.com](mailto:irsanrahman@gmail.com)

<sup>4</sup> Faculty of Law, Universitas Sembilanbelas November Kolaka, Southeast Sulawesi Indonesia,  
[ichaljafar@gmail.com](mailto:ichaljafar@gmail.com)

<sup>5</sup> Faculty of Law, Universitas Sembilanbelas November Kolaka, Southeast Sulawesi Indonesia,  
[Akbaraksan53@gmail.com](mailto:Akbaraksan53@gmail.com)

<sup>6</sup> Faculty of Law, Universitas Sembilanbelas November Kolaka, Southeast Sulawesi Indonesia,  
[yenihaerani@usn.ac.id](mailto:yenihaerani@usn.ac.id)

<sup>7</sup> Faculty of Law, Universitas Sembilanbelas November Kolaka, Southeast Sulawesi Indonesia,  
[basrawisakib@gmail.com](mailto:basrawisakib@gmail.com)

Corresponding Author: [awalsakti122@gmail.com](mailto:awalsakti122@gmail.com)

**Abstract:** This research is motivated by the many forms of criminal acts at each stage of the General Election, one of which can occur at the stages of registration, verification and determination of political parties as potential election participants, as well as different law enforcement mechanisms for election crimes and other criminal acts. It is important to carry out this research with the aim of finding out criminal acts that arise during the stages of registration, verification and determination of political parties as candidate participants in the election and to find out the law enforcement process for criminal acts that occur. The method used in this research is empirical normative which was carried out with literature studies and field studies carried out by the Kolaka Regency Integrated Law Enforcement Center. The results of the research show that the criminal aspects at the stages of Registration, Verification and Determination of Candidates for Election Contestants include criminal acts regulated in the provisions of Article 518 of Law Number 7 of 2017 concerning General Elections (not following up on the findings of Bawaslu, Provincial Bawaslu and/or Regency Bawaslu/ City in carrying out verification of political parties as candidates for Election Contestation), Article 263 of the Criminal Code (Forgery of Documents) and Article 67 of Law Number 27 of 2022 concerning Protection of Personal Data (UU PDP) as well as law enforcement for election crimes is different from criminal acts in general, which using the concept of speedy trial. The things that differentiate include the mechanism for investigation,

prosecution and trial which is carried out quickly, can be carried out without the presence of the defendant (in absentia), and legal action can only be taken at the appeal level. In the implementation of handling election crimes at the Kolaka Regency Gakkumdu Center, starting from the Report/Findings Stage, Initial Study, First Discussion, Clarification, Study of suspected violations, Second Discussion, Plenary Meeting, Investigation, Third Discussion, and Prosecution.

**Keyword:** Criminal, Stages, General Elections.

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## INTRODUCTION

As a means of realizing people's sovereignty to produce people's representatives and a democratic state government based on Pancasila and the 1945 Constitution of the Republic of Indonesia, one aspect that must be given important attention is the aspect of holding the General Election. To ensure the achievement of national ideals and objectives as stated in the preamble to the 1945 Constitution of the Republic of Indonesia, it is necessary to hold general elections that fulfill the principles of independence, honesty, fairness, legal certainty, orderly, open, proportional, professional, accountable, effective and efficient.

The principles of holding elections at the implementation level are sometimes not in accordance with what is envisioned, this is because there are many violations during the holding of general elections, both administrative, code of ethics and criminal violations. These violations occurred almost at every stage of the election. Regarding the election stages, based on the provisions of General Election Commission Regulation Number 3 of 2022 concerning Stages (Indonesia 2022) and Schedule for the 2024 General Election, the stages of holding the General Election include: a. program and budget planning as well as preparation of implementing regulations for holding elections; b. updating voter data and compiling voter lists; c. registration and verification of Election Participants; d. determination of Election Participants; e. determining the number of seats and determining electoral districts; f. nomination of the President and Vice President as well as members of the DPR, DPD, provincial DPRD and district/city DPRD; g. Election Campaign period; h. Quiet period; i. voting and counting votes; j. determining election results; and K. taking the oath/promise of the President and Vice President as well as members of the DPR, DPD, provincial DPRD and district/city DPRD.

During each stage of the general election, many violations of the law occurred, including administrative aspects, codes of ethics and criminal matters. This can also happen at the stages of registration, verification and determination of political parties participating in the election. At this stage, each candidate participating in the election, in order to be designated as a political party participating in the election, must fulfill several conditions set out in (PKPU4/2022 et al. 2022), namely:

1. Legal Entity Status
2. Has management throughout the province
3. Management of at least 75% of the number of Regencies/Cities in the Province
4. Management of 50% of the number of sub-districts in the Regency
5. Include 30% Women's Representation
6. Have at least 1000 members or 1/1000 of the total population
7. Have a permanent office
8. Submit the name, symbol and image sign
9. Submit an account number in the name of a political party
10. Submit a copy of the Political Party's AD and ART

In order to fulfill the requirements at the registration, verification and determination stages of political parties participating in elections, it is not uncommon for election

participants or election organizers to commit acts that qualify as criminal acts by the election law. The regulation of election crimes is regulated in Law Number 7 of 2017 concerning General Elections (Indonesia 1992), in Book 5, consisting of provisions regarding the handling of election crimes (Chapter I, Articles 476 to Article 487) and provisions on election crimes are regulated in Chapter II starting Articles 488 to Article 554 (Rahmat and Junaedi 2021)

In order to create the principles of Direct, General, Free, Secret, Honest and Fair Elections (LUBER JURDIL), legislators have made a number of fraudulent acts (malpractices) a criminal offense. Thus, the Law on Elections, in addition to regulating how elections are carried out, also prohibits a number of actions that can destroy the essence of free and fair election and threatens perpetrators with punishment. (Mawuntu, Sondakh, and Regar 2023)

Apart from criminalizing acts at each stage of the election, law enforcement for election crimes is also different from law enforcement for general crimes. Law enforcement of election crimes is carried out by the Integrated Law Enforcement Center (Gakkumdu), (Listyaningrum, Yosesrwan, and Khairani 2020) through a Memorandum of Understanding made by the Indonesian Bawaslu, the Indonesian Police, and the Indonesian Prosecutor's Office, a forum was formed containing three institutions involved in handling election criminal cases, namely the Police, the Prosecutor's Office, and Election Supervisory Body, this is done to make the handling of election crimes more effective.

In general, there are several differences between the enforcement of election crime law and the enforcement of other criminal acts, including at the stages of inquiry, inquiry, prosecution, trial examination and legal action. Based on this, the author in this research will conduct a study of criminal aspects at the stages of registration, verification and determination of political parties as potential election participants. The problems in this research are as follows: What are the provisions on criminal aspects at the stages of registration, verification and determination of political parties participating in elections? and How is law enforcement against criminal acts that occur during the stages of registration, verification and determination of political parties participating in elections?

## **METHOD**

This research uses normative-empirical legal research methods. Normative legal research is legal research that places law as a building system of norms. The norm system in question is about principles, norms, rules of statutory regulations, court decisions, agreements, and doctrines (teachings) (Ni Ketut Sinta Lestari 2024). Meanwhile, the starting point for empirical legal science research is the legal phenomenon of society or social facts found in society (Cotterrell 2005). Legal research carried out by selecting library materials or secondary data is called normative legal research, while legal research which primarily examines primary data is called empirical legal research (Sukamulya Maria 2004)

This research uses a statutory approach, a case approach, and a conceptual approach. This research will be carried out at the Kolaka Regency Integrated Law Enforcement Center. Data collection techniques in this research were carried out using library research and field studies. Data collection techniques in normative legal research are carried out by literature study of legal materials, both primary legal materials, secondary legal materials and tertiary legal materials and non-legal materials. Meanwhile, data collection techniques in empirical or field legal research have 3 (three) techniques that can be used, either individually or separately or used together at once. These three techniques are interviews, questionnaires, and observation. Based on the data obtained in the research, both through library research and field research, analysis was then carried out using qualitative analysis methods. The results of the analysis are presented in the form of a qualitative descriptive description, namely a

description that describes the problem and its solution clearly and completely based on data obtained from the field.

## **RESULTS AND DISCUSSION**

### **Criminal Aspects at the Stages of Registration, Verification and Determination of Political Parties as Candidates for Election Contestation**

The stages of holding general elections based on the provisions of General Election Commission Regulation Number 3 of 2022 concerning Stages and Schedule for Holding General Elections in 2024 start with planning the program and budget as well as preparing regulations for implementing the Election up to taking the oath/promise of the President and Vice President as well as members of the DPR, DPD, provincial DPRD, and district/city DPRD. Almost every stage of a general election, if we refer to election law, there are several acts that are criminalized, there are even some acts that can only occur at certain stages, for example criminal acts that can only occur at the stages of updating election data, registering candidates, campaign period, quiet period and counting period.

This time limit for a criminal act to occur gives rise to the legal consequence that law enforcement can only carry out the criminal act as long as the act is carried out within the time frame determined by the legislator. This is in line with what is stated in Article 1 paragraph (1) of the Criminal Code which can be concluded that a person's actions must be judged according to the rules in force at the time the act was committed (*lex temporis delicti*) (Chuasanga and Argo Victoria 2019)

The timing of the criminal act or *tempus delicti* has four important meanings. First, whether at the time the act occurred, the act was classified as a criminal act. Second, whether at the time the criminal act was committed, the defendant was capable or unable to take responsibility. Third, whether at the time the criminal act occurred, the defendant was old enough. This basically also talks about responsibility. It needs to be understood that in the development of criminal law outside of codification there are several laws that determine certain age limits. Fourth, regarding expiration or *verjaring*. Basically the expiration date is calculated from the day after the criminal act occurs, however there are several classifications of crimes where the expiration date is not calculated like that. how long the criminal prosecution expires, cannot be separated from the maximum criminal threat for the criminal act. (Wahyuni 2017)

Broadly speaking, election crimes can be grouped based on the time they occur as follows:

1. Election Data Update
  - a. Providing incorrect information regarding filling in the voter list: Article 488
  - b. Not announcing improvements to the temporary voter list, : Article 489
  - c. Preventing someone from being registered as a voter: Article 511
  - d. Not providing a copy of the permanent voter list to political parties, : Article 512
  - e. Determining the number of ballot papers printed to exceed the specified number: Article 513
  - f. Falsifying voter data and lists, : Article 544
  - g. Adding/reducing the list of voters in elections: Article 545
  - h. Not following up Bawaslu's findings in updating data: Article 512
  - i. Failure to follow up on findings and/or reports of election violations committed by election organizers: Article 543
  - j. Resulting in disruption of the stages of election administration, : Article 550
2. Candidate registration
  - a. Failure to follow up on Bawaslu's findings in carrying out admin verification, Article 518

- b. Deliberately carrying out money politics in the nomination of DPD members, : Article 519
- c. Fake documents to become an election participant: Article 520
- d. Failure to follow up on election violations committed by election organizers: Article 543
- e. Resulting in disruption of the stages of holding elections,: Article 550
- 3. Campaign
  - a. The Village Head takes actions that benefit/disadvantage one of the election participants: Article 490
  - b. Election organizers intentionally benefit/disadvantage one of the election participants: Article 546
  - c. State officials intentionally benefit/disadvantage one of the election participants, : article 547
  - d. Disrupting, obstructing or disrupting the course of the campaign: Article 491
  - e. Carrying out a campaign outside the established schedule: Article 492
  - f. Implementers, participants and/or campaign teams may not violate the rules according to article 280 paragraph (1), : Article 521
  - g. Implementers, participants and/or campaign teams may not violate the rules according to article 280 paragraph (2), : Article 493
  - h. Prohibition of campaigning and participation for ASN, TNI, Polri, Village Apparatus and BPD according to article 280 paragraph (3), : Article 494
  - i. Prohibition of campaigning for State institutions according to article 280 paragraph (3), : Article 522
  - j. Disruption of campaign implementation at sub-district/village level: Article 495 (1)
  - k. Incorrect information in the campaign finance report: Article 496 and Article 497
  - l. Providing donations exceeding the limit from groups, companies and/or non-governmental business entities: Article 525 (1)
  - m. Prohibited from receiving campaign funds from prohibited sources: Articles 527, 528 (1), 528 (2), 548
  - n. Printing ballot papers exceeding the number determined by the KPU, : Article 529
  - o. Failure to maintain the confidentiality, security and integrity of ballot papers: Article 530
  - p. Deliberately carrying out money politics directly and indirectly: Article 523 (1)
  - q. Failure to follow up on election violations committed by election organizers: Article 543
  - r. Failure to implement court decisions in criminal cases: Article 541
  - s. Resulting in disruption of the stages of holding elections,: Article 550
  - t. The KPU, due to its negligence, committed an election crime: Article 524
  - u. The KPU commits election crimes during the implementation of the campaign: Article 524 (1)
  - v. Resigning as a candidate for president/vice president after determining the candidate until the voting stage,: Article 532 (2)
- 4. Quiet period
  - a. Deliberately carrying out money politics directly and indirectly during periods of calm: Article 532 (2)
  - b. Announcing survey results during the quiet period,: Article 509
  - c. Failure to follow up on findings/reports of election violations committed by election organizers: Article 543
  - d. Resulting in disruption of the stages of holding elections,: Article 550
- 5. Take the count
  - a. Not giving a worker/employee the opportunity to vote on voting day, : Article 498

- b. Loss of voting rights: Article 510
- c. Not casting a replacement vote, : Article 499
- d. Providing the right to vote: Article 500
- e. Not implementing PSU, : Articles 549, 501, 502
- f. Providing ballots more than once, : Articles 516, 533
- g. Tampering/eliminating the voting results, : Article 534
- h. Not signing BA for collection activities and certificate of calculation results, : Article 503
- i. Damage or loss of vote counting BA and/or voting results certificate, : Article 504, 505,535
- j. Not providing a copy of the BA to election participant witnesses, : Article 506
- k. Tampering, disrupting or distorting the counting of ballot papers: Article 536
- l. Unsupervised handover of ballot boxes: Articles 507 (1), 507 (2)
- m. Not guarding/securing the ballot box: Article 537
- n. Not handing over the ballot box: Articles 538, 539
- o. Missing/changed BA recapitulation, : Article 551
- p. Not announcing a copy of the certificate of vote counting results, : Article 508
- q. Deliberately carrying out money politics directly and indirectly during periods of calm: Article 515
- r. Because voters' ballot papers are priceless: Article 532
- s. Disrupting the implementation of voting: Article 531
- t. Failed the vote, :Article 517
- u. Use excess ballot papers and not report them to the KPU: Article 525 (2), 526 (1)
- v. Quick count which is not an official election result, : Article 540 (1)
- w. Not determining the results of votes in national elections, : Article 524
- x. Failure to follow up on findings/reports of election violations committed by election organizers: Article 543
- y. Resulting in disruption of the stages of election management,,: Article 550
- z. Resigning as a candidate for president/vice president after determining the candidate until the voting stage,,: Articles 553 (1), 553 (2)

Based on the classification of criminal acts at each stage of the election, there are special legal subject regulations in the election law. Based on the qualification provisions, the subject of a criminal offense includes every person, group, company, non-governmental business entity, village head or other designation, chairman and member of KPPS/KPPSLN, member of PPS or PPLN, member of KPU, member of Provincial KPU, member of Regency/KPU City, PPK members, implementing members and/or campaign teams, campaign participants, election participants, sub-district Panwaslu, sub-district/village Panwaslu, overseas Panwaslu, TPS supervisors, Bawaslu members, Provincial Bawaslu members, Regency/City Bawaslu members, political party leaders or a combination of political parties, presidential and vice presidential candidates, state officials, judges, chairman or members of the BPK, governors, senior deputy governors and/or deputy governors of BI as well as directors, commissioners, supervisory boards and/or BUMN/BUMD employees (Konstitusi et al. 2024).

After explaining the qualifications for criminal acts at each stage in general, then the criminal aspects at the stages of registration, verification and determination of the political parties of potential election participants based on the provisions of the election law are only found in the provisions of Article 518, with the following provisions: "Every member of the KPU, Provincial KPU, and/or Regency/Municipal KPU who does not follow up on the findings of Bawaslu, Provincial Bawaslu, and/or Regency/Municipal Bawaslu in the implementation of verification of political parties of Election Contesting Candidates as intended in Article 180 paragraph (3) and/ or carrying out verification of administrative

completeness of prospective members of the DPR, DPD, provincial DPRD and district/city DPRD as intended in Article 251 paragraph (3) and Article 261 paragraph (3) and/or carrying out verification of administrative completeness of prospective President and Vice President candidates shall be punished with a maximum prison sentence of 3 (three) years and a maximum fine of IDR 36.000.000.00 (thirty-six million rupiah)"

Based on the provisions of article aquo, there are restrictions on legal subjects, where the legislators limit legal subjects only to every member of the KPU, Provincial KPU, and/or Regency/City KPU, thus this article only applies to every member of the KPU, Provincial KPU, and/or Regency KPU /City. This provision shows that Article 518 is qualified as a special offense (only intended for people with certain qualifications) and is not intended for everyone. Furthermore, Article 518 above qualifies as an omission offense or the offense of not carrying out orders or obligations. The order or obligation in question is to follow up on the findings of Bawaslu, Provincial Bawaslu, and/or Regency/City Bawaslu in the implementation of verification of political parties as candidates for Election Contestation.

Apart from these criminal acts at the stages of Registration, Verification and Determination of Election Contesting Political Parties, in order to fulfill administrative requirements there is the potential for criminal acts of falsifying documents as regulated in Article 263 of the Criminal Code and Article 67 of Law Number 27 of 2022 concerning Protection of Personal Data ( PDP Law) could happen. The provisions of Article 67 of Law Number 27 of 2022 concerning Personal Data Protection (PDP Law) criminalize:

1. any person who intentionally and unlawfully obtains or collects Personal Data that does not belong to them with the intention of benefiting themselves or others which may result in loss to the Personal Data Subject
2. Any person who intentionally and unlawfully discloses Personal Data that does not belong to them
3. Any person who intentionally and unlawfully uses Personal Data that does not belong to them.

### **Law Enforcement Against Criminal Acts That Occur During the Registration, Verification and Determination Stages of Election Contesting Political Parties.**

In general, concrete law enforcement is the application of positive law in practice as it should be obeyed. Therefore, providing justice in a case means "deciding the case by applying the law and finding the law in concreto in maintaining and guaranteeing compliance with material law by using procedures established by formal law(Jufri and Boemiya 2024). Law enforcement against criminal acts that occur during the stages of registration, verification and determination of political parties participating in elections is the same as law enforcement procedures for all stages in holding general elections. Based on the provisions of Perbawaslu No. 31 of 2018 concerning Integrated Law Enforcement Centers, Handling Election Crimes based on Justice, Certainty, Expediency, Equality before the law, Presumption of innocence and Legality. In addition, law enforcement for election crimes is carried out with the principles of truth, speed, simplicity, low cost and impartiality.

Law enforcement of election crimes is regulated in Law Number 7 of 2017 concerning General Elections, contained in articles 476 to article 484. Apart from referring to election laws, law enforcement also continues to refer to the general provisions in the Criminal Procedure Code throughout the law. Elections do not regulate specifically. The process of law enforcement for election crimes begins with receiving reports/findings of alleged election crimes, then forwarded to the Police who are part of the Gakkumdu Center within a maximum of 1 x 24 (one time twenty four) hours and coordinating with parties who are members of the Center. Gakkumdu. The forwarding of reports of alleged election crimes is submitted in writing and contains the name and address of the reporter, the reported party; time and place of the crime and a description of the incident.

At the inquiry and investigation stage, not everyone who joins the Gakkumdu Center can carry out inquiries and investigations. This is because, those who can carry out investigations and investigation of election crimes are those who have undergone special training regarding the investigation and investigation of election crimes, are competent and have high moral integrity while carrying out their duties, and have never been subject to disciplinary punishment.

In the enforcement of election criminal law there are several differences with law enforcement of other criminal acts. There are several things that are different, namely, first, election criminal law enforcement does not only involve law enforcement officers in the ordinary criminal justice system, but also involves election management institutions, in terms of This is Bawaslu and its staff. Second, law enforcement for election crimes uses the concept of speedy trial. The things that differentiate include the mechanism for investigation, prosecution and trial being carried out quickly. Third, law enforcement can be carried out without the presence of the defendant (in absentia), and Fourth, legal efforts can only be taken at the appeal level.

The concept of speedy trial in the election law is manifested in setting the investigation time to 14 (fourteen) days, and must be immediately forwarded to the public prosecutor. Within 3 (three) days after the investigator submits the case file to the public prosecutor, then if the public prosecutor considers that the investigation is not complete, then the case file is returned to the investigator and given 3 (three) days to complete the event file again in accordance with the instructions given. given by the public prosecutor. This is of course different from the investigation regulations in the Criminal Procedure Code which determines the investigation time for 20 days which can be extended for 40 days.

Furthermore, if the agenda file has been fulfilled, within 5 (five) days from the time the case file is received, you must immediately submit the case file to the District Court. The District Court, in accordance with its duties, namely examining, adjudicating and deciding election crime cases, must immediately decide election crime cases no later than 7 (seven) days. This is of course very different from transaction arrangements and trial examinations in general criminal offenses. General criminal charges can be carried out for 20 days and can be extended for 30 days, while trial examinations can be carried out for 30 days and can be extended for 60 days.

Furthermore, it is related to legal efforts that can be taken to enforce election crimes only by legal action at the appeal level. limits on legal remedies for people who are declared proven to have committed election crimes. Where, only appeals can be made against court decisions. The decision of the appellate court (High Court) is final and final in nature and cannot be used for other legal remedies. Thus, cassation as an ordinary legal remedy is not available in the examination of election crimes (Ator 2020)

The concept of speedy justice contained in the provisions of the election law certainly creates many legal problems at the level of implementation. Hard work is required from the Gakkumdu Center to carry out the law enforcement process, with the large number of reports and case findings that occur, it is very difficult to complete the law enforcement process in the limited time. Apart from that, with a short period of time, it is possible that the truth of the material cannot be revealed optimally.

This short time is what determines whether it can prove the real truth while there are aspects of justice that must be fulfilled in a proof. The heaviest burden is actually on the prosecutors who are members of the Takkumdu Center because they have to prove each of the existing charges, the short time in terms of proof is very limited. It is true that determining the time limit for the conference is a legal order, but this is where it must be the subject of study and criticism so that all parties can feel that they have been given justice in obtaining the truth. Regarding speedy trials, the most important thing is the quality of evidence in a speedy trial, even though it can still prove an event. This lies in the quality of



the evidence presented at the conference, not in the quantity or amount of evidence. Apart from that, evidence is not only witnesses, but there is still other evidence such as experts, letters, instructions and statements from fraudsters (Amarini and Kartikawati 2020).

In a judicial process that is so fast, one of the positive impacts is that it no longer makes cases drag on or take a long time to be resolved and immediately provides legal certainty to the public or parties who feel disadvantaged. However, in law enforcement, law enforcers also need to be careful in handling election crime cases. Because apart from providing certainty to the parties, it is also necessary to pay attention to uncertainty in justice so that it does not cause conflict and can be well received by the community.

Regarding the implementation of election crimes at Gakkumdu Centers as regulated in the Republic of Indonesia General Election Supervisory Agency Regulation Number 31 of 2018 concerning Gakkumdu Centers as follows:

1. Report/Findings

At this stage, election supervisors are required to receive reports of violations that are suspected of being election crimes.

2. First Discussion

After the report/findings are received and have been registered, the election supervisor together with the Gakkumdu Center jointly discuss whether the alleged election violations meet the formal and material requirements. The formal requirements include the identity of the reporter/party who has the right to report, the reported party, the reporting time not to exceed 7 (seven) days after the occurrence and/or discovery of the alleged election violation, the conformity of the signature on the alleged violation report form with the Electronic Identity Card and /or other identity. Meanwhile, material requirements consist of the event and description of the incident, the place where the incident occurred, witnesses who knew about the incident, and evidence.

3. Study of election violations

At this stage, the election supervisor carries out a study starting after the report is received and registered no later than 7 days and preparation of the study no later than 14 days.

4. Second Discussion

The Election Supervisor and the Gakkumdu Center will conduct a second discussion no later than 14 (fourteen) days after the findings are received and registered to determine whether the report/findings constitute an election criminal violation or not an election criminal violation. The results of the discussion are stated in the Minutes of the Second Discussion.

5. Plenary Meeting

The plenary meeting was held to determine whether the alleged election crime violations would be continued at the investigation stage or whether they would be stopped or not continued. At the forwarding stage the findings/report must be accompanied by the following: a cover letter; assignment order to carry out an investigation issued by the Election Supervisor; study results; investigation report; invitation letter for clarification, minutes of clarification under oath; minutes of the first discussion; minutes of the second study; list of witnesses and/or experts; list of reported persons; list of evidence; and administration of the Gakkumdu investigation from the police.

6. Investigation

At the investigation stage, Gakkumdu, a police officer accompanied by a prosecutor, carried out an investigation after being given an order from the Gakkumdu Coordinator and carried out for 14 days.

7. Third Discussion

At this stage the investigator conveys the results of the investigation. And again discussing with the parties who are members of the Gakkumdu Center whether the results

of the investigation can be forwarded to the public prosecutor or not. If the results of the investigation are incomplete, the investigator is given 3 days to complete the case file in accordance with the directions of the public prosecutor.

#### 8. Prosecution

At this stage, the public prosecutor has submitted the case files to the local District Court no later than 5 (five) days from the receipt of the case files by the investigator. Then, the public prosecutor must prepare an indictment plan and a letter of indictment and the public prosecutor must prepare a prosecution plan and make a letter of indictment.

#### 9. Fourth Discussion

After the court decision was read, the public prosecutor reported it to the Gakkumdu Center. The Gakkumdu Center held the fourth discussion 1 x 24 hours after the court decision was read. And convey the results of the court decision to the defendant's family if the defendant does not appear at the trial.

### CONCLUSION

The criminal aspects at the stages of Registration, Verification and Determination of Candidates for Election Contestants include criminal acts regulated in the provisions of Article 518 of Law Number 7 of 2017 concerning General Elections (failure to follow up on the findings of Bawaslu, Provincial Bawaslu and/or Regency/City Bawaslu in the implementation verification of political parties of Election Contesting Candidates), Article 263 of the Criminal Code (Forgery of Letters) and Article 67 of Law Number 27 of 2022 concerning Protection of Personal Data (PDP Law) and Law Enforcement of Election criminal acts is different from criminal acts in general, which use the concept of speedy trial (speedy trial). The things that differentiate include the mechanism for investigation, prosecution and trial which is carried out quickly, can be carried out without the presence of the defendant (in absentia), and legal action can only be taken at the appeal level. In the implementation of handling election crimes at the Kolaka Regency Gakkumdu Center, starting from the Report/Findings Stage, Initial Study, First Discussion, Clarification, Study of suspected violations, Second Discussion, Plenary Meeting, Investigation, Third Discussion, and Prosecution.

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